

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DAVID ERWIN JONES, JR.	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	Case No. CIV-17-1141-F
	)	
MOORE POLICE DEPARTMENT,	)	
et al.,	)	
	)	
Defendant.	)	

**ORDER**


United States Magistrate Judge Bernard M. Jones has issued a Report and Recommendation, recommending Defendant Officer Jarrod Queen's Motion to Dismiss Plaintiff's Civil Rights Complaint be denied.

Although advised of the right to object and the consequences for failure to timely object, no party has objected to the Report and Recommendation within the time prescribed by Magistrate Judge Jones. With no objection, the court accepts, adopts and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Bernard M. Jones (doc. no. 23) is **ACCEPTED, ADOPTED** and **AFFIRMED**. Defendant Officer Jarrod Queen's Motion to Dismiss Plaintiff's Civil Rights Complaint (doc. no. 21) is **DENIED**.

This matter is re-referred to Magistrate Judge Jones in accordance with 28 U.S.C. § 636 and the court's previous referral (doc. no. 3).

IT IS SO ORDERED this 29<sup>th</sup> day of May, 2018.

  
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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE